IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FIFTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

-

WRIT PETITION NO : 16530 of 2004

Between:

Windows of the World, Cyber Towers,

Hitech City, Madhapur,

Rep. by its Amogh Hotels Ltd,

Tejaswini Complex, 6th Floor, Punjagutta, Hyderabad,

rep. by its Managing Director Sri B.S. Neelakanta,

S/o Late Sri Somasekharam,aged 42 years,R/o Hyderabad.

..... PETITIONER

AND

Employees Provident Fund Organisation,

rep. by the Asst.P.F. Commissioner,
Regional Office, Circle -I, Barkatpura, Hyderabad.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to pass an order or issue a Writ, particularly one in the nature of Mandamus, declaring that the proceedings AP/34811/A, dated 23-1-2004/11-2-2004 and the proceedings dt. 23--8-2004, rejecting the Review Petition, passed by the respondent as illegal and consequently to set aside the same.

Counsel for the Petitioner: MR.B.G.RAVINDER REDDY
Counsel for the Respondent: MR.R.N.REDDY

The Court at the stage of admission made the following Order:

The petitioner-establishment was assessed under Section 7-A of the Employees Provident Funds and Miscellaneous Provisions Act, 1952 (for short "the Act") vide proceedings dated 23-01-2004. The review petition filed by the petitioner-establishment under Section 7-B of the Act was also dismissed on 23-08-2004. In view of the same, petitioner-establishment filed the present writ petition contending that since the appellate Tribunal is not functioning, the impugned order passed under Section 7-A of the Act has to be set aside.

Having regard to the fact that the appellate Tribunal is not functioning, interest of justice will be met if the petitioner-establishment deposits 50% of the due amount within six weeks from today. Further proceedings pursuant to the impugned order shall not be enforced till the disposal of the appeal filed by the petitioner-establishment.

The writ petition is accordingly disposed of. No costs.

15th SEPTEMBER, 2004.

Note: furnish c.c. in three days.

B/o

Kvni

To

1. The Asst. Provident Fund Commissioner,

Employees Provident Fund Organisation,

Regional Office, Circle -I, Barkatpura, Hyderabad.

2. Two CD copies.